

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, et al.,

Debtors

PROMESA Title III

No. 17 BK 3283-LTS
(Jointly Administered)

This filing relates to the Commonwealth.

PUERTO RICO LAND ADMINISTRATION'S RESPONSE TO DEBTOR'S THREE HUNDRED TWENTY-FIRST OMNIBUS OBJECTION (SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO TO CLAIMS (Docket No. 16647)

TO THE HONORABLE COURT:

The Puerto Rico Land Administration, through the undersigned counsel, very respectfully addresses the objections raised by Debtor in its Three Hundred Twenty-First Omnibus Objection to Claim Nos. 50438 & 73021 of the Puerto Rico Land Administration (the “Claims”), one for \$1,129,811.76 and the other for \$36,386,620.57.

1. Debtor’s objection to the Claims is grounded on the Government Development Bank for Puerto Rico Debt Restructuring Act (the “GDB Restructuring Act”) and certain Public Entity Deed of Trust (the “PET Deed”).
2. Debtor argues that the Claims should be disallowed because “[u]nder the GDB Restructuring Act and the PET Deed, the transfer of the Designated Deposits to the GDB “shall be treated as an irrevocable, non-voidable and absolute transfer of all of GDB’s legal and equitable right, title and interest[.]” GDB Restructuring Act, Art. 303. Furthermore, upon the assumption by the PET of the Designated Deposits, the Designated Depositors “shall, immediately and forever . . . cease to have any right, interest or claim against the GDB or any of its assets, or any successors or assigns thereof (other than the Public Entity Trust).” *Id.* See, Docket No.

16647, at p. 4, ¶ 9.

3. As previously stated, the objection pertains to two Claims filed by the Puerto Rico Land Administration, one for \$1,129,811.76 (Claim No. 50438) and the other for \$36,386,620.57 (Claim No. 73021).
4. Regarding the deposits pertaining to Claim No. 50438, the Puerto Rico Land Administration has been receiving Deposits Account Statements from the Economic Development Bank for Puerto Rico reflecting that such funds have been deposited and are currently deposited with the Economic Development Bank for Puerto Rico, in favor of the Puerto Rico Land Administration. The most recent Deposits Account Statement is for the period ending 4/30/2021. A copy of the Deposits Account Statement is hereby attached as an Exhibit for the Court to consider with this response¹.
5. As a result of Debtor's objection and the information that the Puerto Rico Land Administration has been receiving from the Economic Development Bank for Puerto Rico that partially negates the allegations in the objection, the Puerto Rico Land Administration is requesting the Economic Development Bank for Puerto Rico to certify that the monies in question to which the Deposits Account Statement allude to are deposited with such entity in favor of the Puerto Rico Land Administration.

WHEREFORE, very respectfully, because the information available suggests that the deposits relevant to Claim No. 50438 cannot be considered Designated Deposits subject to the provisions of the GDB Restructuring Act, the Objection (Docket No. 16647) should be denied as to Claim No. 50438.

¹ The amount reflected in the Deposits Account Statement includes the interest accrued. The Deposits Account Statement refers in error to the "Autoridad de Tierras". This has been brought to the attention of agents of the Economic Development Bank for Puerto Rico for correction, who have acknowledged the need for such amendment.

The Puerto Rico Land Administration could supplement this Response depending on the additional information that it has yet to receive from the Economic Development Bank for Puerto Rico in connection with the monies in question. If the additional information to be received from the Economic Development Bank for Puerto Rico proves to be contrary to what has been stated in this response, once verified, the Puerto Rico Land Administration would withdraw this response.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, July 1st, 2021.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY: that on this same date, I electronically filed the foregoing Notice with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered participants and attorneys of record.

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